

Pleas in law

- The Board of Appeal failed to correctly assess and apply the criterion of ‘legal certainty’;
 - The Board of Appeal failed to correctly assess and apply the criterion of ‘economy of proceedings’;
 - The Board of Appeal failed to correctly assess and apply the criterion of ‘sound administration’;
 - The Board of Appeal did not correctly balance the interests of all parties.
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Action brought on 10 December 2019 – Koopman International v EUIPO – Tinnus Enterprises and Mystic Products Import & Export (Fluid distribution equipment)

(Case T-841/19)

(2020/C 45/77)

Language of the case: English

Parties

Applicant: Koopman International BV (Amsterdam, Netherlands) (represented by: B. van Werven, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other parties to the proceedings before the Board of Appeal: Tinnus Enterprises LLC (Plano, Texas, United States) and Mystic Products Import & Export, SL (Badalona, Spain)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Tinnus Enterprises

Design at issue: European Union design No 1431 829-0008

Contested decision: Interim Decision of the Third Board of Appeal of EUIPO of 18 September 2019 in Case R 1009/2018-3

Form of order sought

The applicant claims that the Court should:

- annul the contested decision to suspend the appeal proceedings before the Board of Appeal and decide that said proceedings before the Board of Appeal shall continue;
- to join the current case before the General Court with the cases before the General Court in cases R 1006/2018-3, R 1008/2018-3, R 1005/2018-3 and R 1010/2018-3 lodged by Koopman International simultaneous with this action;
- order Tinnus Enterprises to pay Koopman International’s costs and fees.

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Action brought on 10 December 2019 – Koopman International v EUIPO – Tinnus Enterprises and Mystic Products (Fluid distribution equipment)**(Case T-842/19)**

(2020/C 45/78)

*Language of the case: English***Parties**

Applicant: Koopman International BV (Amsterdam, Netherlands) (represented by: B. van Werven, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other parties to the proceedings before the Board of Appeal: Tinnus Enterprises LLC (Plano, Texas, United States) and Mystic Products Import & Export, SL (Badalona, Spain)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Tinnus Enterprises

Design at issue: European Union design No 1431 829-0007

Contested decision: Interim Decision of the Third Board of Appeal of EUIPO of 18 September 2019 in Case R 1010/2018-3

Form of order sought

The applicant claims that the Court should:

- annul the contested decision to suspend the appeal proceedings before the Board of Appeal and decide that said proceedings before the Board of Appeal shall continue;
- to join the current case before the General Court with the cases before the General Court in cases R 1006/2018-3, R 1008/2018-3, R 1005/2018-3 and R 1009/2018-3 lodged by Koopman International simultaneous with this action;
- order Tinnus Enterprises to pay Koopman International’s costs and fees.